

REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicant cancels claims 1, 4, 9 and 12 without disclaimer of the underlying subject matter or prejudice against future prosecution. Applicant also amends claims 3 and 11. Accordingly, claims 3, 6-8, 11, 14, 17 and 18 are pending in the application.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

CLAIM OBJECTIONS

The Office Action objects to claims 3, 6-8, 11, 14, 17 and 18 because of the phrases “to try” and “trying to.”

Applicant respectfully traverses these objections.

Applicant respectfully submits that the phrases recite exactly what is intended and are indeed positive features of the claims. In particular, in claim 7 for example, each NA monitors call control information on a corresponding communication line in accordance with a received telephone number to try to identify a data stream associated with a telephone call having the telephone number as a source or destination. A given NA absolutely does monitor a communication line, and it absolutely **tries to** identify the data stream, but in fact it may not **actually** identify the data stream for various reasons, including as an example, that another NA may identify the data stream first and then the NTC may transmit a message to the NA to cause the NA to stop trying to identify the data stream – as recited in claim 7. Applicant respectfully submits that “trying to” positively recites features of the claims. Indeed, a very quick search revealed hundreds of presumably-valid U.S. patents with claims that recite “trying to” perform some operation, and literally thousands of other claims that recite “attempting to” perform some operation. Surely all of these claims in issued patents are not somehow defective?

Therefore, Applicant respectfully requests that the claim objections be withdrawn.

PRIOR ART

The Office Action states that claims 7, 8, 17 and 18 are allowed.

The Office Action also states that claims 3 and 11 would be allowable if rewritten in independent form including all features of their respective base claims and any intervening claims.

By this Amendment, Applicant amends claims 3 and 11 to be in independent form. Redundant limitations from their base claims 1 and 9, respectively, are eliminated simply for clarity – the same features were recited in both the base claim and in the dependent claim, and that redundancy is now eliminated. If the Examiner has any question about this, then the Examiner is respectfully invited please to contact the undersigned attorney at the telephone number below to discuss this so that this application can be efficiently processed and allowed to proceed to issue.

CONCLUSION

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 3, 6-8, 11, 14, 17 and 18 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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